Page 1 Dkt: 707.025US1

S/N 09/647,054 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter Joseph Cassidy, et al. Examiner: Christopher M. Gross

Serial No.: 09/647,054 Group Art Unit: 1639 Filed: March 24, 1998 Docket No.: 707.025US1

Title: PEPTIDE TURN MIMETICS

DECLARATION UNDER 37 C.F.R. §1.132

- I, Peter Joseph Cassidy, declare and say as follows:
- 1. I. Peter Joseph Cassidy, received my bachelor's and doctorate degrees at the University of Oueensland, Brisbane, Australia.
- 2. I am a named co-inventor of the subject matter claimed in the above-identified patent application and have reviewed the summary provided by the attorneys for Mimetica of the interview that was conducted at the USPTO on 13 November 2008 between patent examiner Christopher Gross, supervising examiner Mark Shibuva, Mark Blaskovich of Mimetica Pty Ltd and Geoffrey Cooper and Gary Speier of Schwegmann, Lundberg and Woessner. I hereby make this Declaration in support of the patentability of the claims of the application.
- 3. I understand that one of the main points of the discussion at the interview was in relation to the fact that the Examiner has rejected claims 113, 119, 120, 121, 124, 126, 134, 135, 137, 138, and 140 on the basis of 35 U.S.C. §102(b) as being anticipated by Ma et al., 1995, Protein Peptide Letters, 2:347-350. I understand that there was extensive discussion of the data that would be required in support of the applicant's position that the Ma disclosure does not anticipate or render obvious the claims of the present application on the basis that following the procedure in Ma does not produce the compound alleged by Ma but rather an isomer of this compound.

DECLARATION UNDER 37 CFR § 1.132 Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS

Page 2 Dkt: 707 025USI

4. As a result of the interview with the examiner the applicant initiated an experimental program aimed at providing the data required to satisfy the examiner that the Ma procedure did not in fact produce the compounds alleged, and specifically did not produce a compound within the scope of the claims of the current application.

- 5. I attach as Appendix 1 a report prepared based on the experiments carried out. In order to avoid any possible role of trace impurities having an effect on the cyclisation studies carried out in the report the cyclisation precursor 10 was prepared by the same method as described in Ma.
- The first steps in this process were as shown in scheme 1 on page 3 of the 6 report and involved production of compound(s) of formula 7 which were produced as a mixture of epimers. The 1H NMR and 13C NMR for the compound(s) of formula 7 are shown in appendix 2.
- 7 This mixture of epimers was then converted to compounds of formula 8. The ¹H NMR, ¹³C NMR and mass spectral data of the isomers of formula 8 is shown in appendix 3.
- 8 This mixture of free amines 8 was then converted to the protected forms 9 under the conditions taught by Ma. The ¹H NMR and ¹³C NMR for the compound(s) of formula 9 are shown in appendix 4.
- This mixture of the protected amines (9) were then reacted to form the cyclisation precursor 10 under the conditions taught by Ma. The ¹H NMR and ¹³C NMR for the compound(s) of formula 10 are shown in appendix 5.
- 10. Once the cyclisation precursor 10 was in hand and prior to conducting the factorial Mitsunobu experiments under a variety of conditions it was decided to produce

DECLARATION UNDER 37 CFR § 1.132 Serial Number: 09/647,054

Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS

Page 3 Dkt: 707.025US1

the original diazepane target (compound 2) as allegedly produced by Ma using the applicants own chemistry as outlined in scheme 2 (page 3 of the report). An advanced intermediate in this synthesis was compound 14 and the data obtained for this compound are shown in appendix 6.

- 11 The compound of formula 14 was then protected on nitrogen to produce compound 2 and the data obtained for this compound are shown in appendix 7.
- 12. With the authentic sample of compound 2 in hand the isomers of 10 were subjected to the Mitsunobu reaction as detailed in Ma. The results were compounds 3a and 3b. The data obtained for compound 3a (formed from cyclisation of compound 10a) is shown in appendix 8. The data obtained for compound 3b (formed from cyclisation of compound 10b) is shown in appendix 9.
- As can be seen cyclisation of compounds 10 did not produce the 13. compound 2 as made by the Mimetica chemistry. Analysis of the cyclisation products 3 clearly demonstrated that the products retained the Alanine nitrogen proton (as discussed on page 4 of the report) indicating that the cyclisation product 2 (which does not have this moiety) could not be the structure.
- 14 In order to determine whether the Mitsunobu conditions affected the cyclisation reaction a number of different conditions were trialled as shown in page 7 and 8 of the report. There was no appreciable difference in the reaction products obtained irrespective of the reaction conditions used. The mass spectral analysis of the products produced in the factorial experiments is shown in appendix 10, while the HPLC spectra are shown in appendix 11 and appendix 12.
- 15. As discussed in the report the HPLC data obtained was particularly significant. As discussed in the report the authentic cyclised compound 2 (which Ma alleged was made in the reactions) had a retention time of approximately 8.71 minutes

Page 4 Dkt 707.025US1

whereas the two aziridine products had retention times of 6.87 and 6.93 minutes respectively. In addition even when a mixture of authentic product (2) and a crude reaction mixture from a cyclisation reaction is injected as a co-injection there is no significant change in retention time for the authentic compound (2). The HPLC traces from the factorial experiments indicate that irrespective of the reaction conditions there was no observable quantity of the compound (2) produced.

- 16. In my professional judgement, these data prove that under the reaction conditions disclosed by Ma, and under a range of reaction conditions that are within the due experimental exploration of a person of ordinary skill in the art, the products obtained do not contain in any appreciable amount any of the chemical structure asserted by Ma to be formed.
- 17. I further declare that all statements made berein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and that such willful false statement may jeopardize the validity of this application or any patent issuing therefrom.

24/10/2008

Date

Peter Joseph Cassidy

DECLARATION UNDER 37 CFR § 1.132 Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS Page 5 Dkt: 707.025US1

APPENDIX 1

Report to the US Patent Office

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MIMETICA PTY LIMITED

REPORT TO THE US PATENT OFFICE

Supporting Data for US patent application 09/647054 (Peptide Turn Minietics).

Factorial experiments to refute Ma et al.

OCTOBER 22, 2008





Factorial Mitsunobu Experiments to Refute Ma et al.

Background

US patent application 09/64/7054 (Minietica Pty Ltd) ("Peptide Turn Minietics", following from PCT/AU1999 600T(WO 1999 648033)) claims various peptide ninneric compounds and methods for their synthesis. The compounds claimed include 1.4-diazepanones of general structure 1

A publication before to the priority date of the application (like and Fros Papt Em 1985 p347-357); claims to provide a synthesis of a disagenae 2 a structure within the claims of application. Evidence was provided in the original patent application that the work described in the Ma publication "Ma procedure", Scheme 1) does not represent relative prior are for the Paptide Turn Mimetric application because the Ma procedure forms that isometric compound 3 unce relation in the application and not the disagrapae 2. Composition 2 and 3 have the same molecular weight but can be easily differentiated by NMR spectroscopy.

Scheme 1. Ma procedure (Ma et al. Prot Pep: Lett 1996 p347-350)

The US patent office has requested further reactions be conducted to confirm the assertion that the Ma procedure does not produce compound 2. Specifically requested were:

- (1) Preparation of the cyclisation precursor 10 by the same method as described in the Ma procedure to rule out the role of trace impurities in direction the reaction outcome:
- (2) Completion of factorial cyclisation experiments to demonstrate that reasonable variations in the reaction conditions, particularly order of addition of the respents, do not after the reaction outcome.

Summum of Results

The respected experiments have been completed and have confirmed the original finding, in that the cylationing product is arisiding. 8 and not the enlanted. In addition and for greater certainty the original diszepsate target compound 2 from the Ma publication has been prepared using Minieticas's chemistry is a described in Scheme 2). This sample has been used to provided reference NMR out mass spectra and chromatographs to compare with the products of the factorial reactions. No trace of this reference material or any other streetscent or 2 few detected in may of the factorial Missimodiu reaction products.

Scheme 2. Preparation of authentic Ma target compound using the Mimetics procedure.

Discussion

The ¹H and ¹¹C NMR spectra of intermediates and the fanal products are listed in the experimental serious below. Copies of the spectra including COSY and TOCSY spectra of they compounds are included as structured. The Ma publications provided limited sharacterisation data – the only relevant spectrum being unavigned. ¹H NMR data for the mixed enumers of the wordour material. No conv of the spectrum was available.

(1) Preparation of compound 10 by the procedure of Ma et al.

The isomers of the alcohol cyclisation pre-cursor 10 were prepared in accordance with the procedure of Mo et al (Scheme I). The material prepared was compared to making previously prepared by reduction of compound 13, as expected the products were the same secondar to NMR spectra except the ratio of epimens was different — shout 6-4 for the Ma procedure against 127 for the Dorolyythel reduction of 13. Sufficient separation of the isomers was additional.

The Alamine exidute spin tystem with NH coupling to Ho than to CH₂B is easily identified in the ¹H NMR spectra of 10, the NH falling at 5.65 and 5.46 ppin (two signals due to secondary mattle cit-trans conformers) coupled to the Hor at 479 and 444 and then to the CH₂B at 1.88 and 1.38 ppin. On cyclosition if product 2 is formed the Ala spin system will change due to lose of the NH in the exclusion.

Figure 1 Except from the TOCSY spectrum of compound 10a (PCM425, fit is eluting spinner) illustrating the Alasym system of the two anude conformers. The left hand signals are from the NH and the spectrum shows there are coupled to the Hz and Hg positions.

(2) Mitsunobu Reaction Products

Missnobus reaction conditions were applied to 10 and as previously reported (in the patent application) a deliyelation product was formed from each of the epimers. The products formed did not vary according to the reaction conditions or to the ratio of epimers in the starting material. The products were purified by Bash chromatography and analysed by NNR and mass spectrometry. The 'H KMR, spectra of the products clearly show the retention of the Ala NH (nd 5.68 and 5.66 ppm) – this is impossible if the product s 2 as suggested by Ma et al. The data is summarised in Table 1 for one of the epimers.

	Ala.NH	Ala He	Ala H6
Compound 10a	5.65, 5.46	4.79, 4.44	1.38.1.33
Mitsunobu Product	5.6S, 5.56	4.73, 4.48	1.41. 1.32

Table 1 Chemical shifts of the Alaume spin system in starting alcohol 10 and the corresponding Missimobia cyclisorion product.

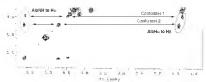


Figure 2. Except from the COSY spectrum of Mitsunehn cyclication product (3a, PCM432) formed from compound 10a containing the Ala spin system and showing retention of the NH signal.

In contrast to the lacts of change as the Ala NH position, the lie NH position disappeared and there were significant changes to the IE system including movement of the IleHo signal from 3 18 to 2.18 2.13 pm. These changes indicate a cyclisation involving the IleHw with

the product being the azidirine 3. Further information on the shift changes on formation of compenies 3 and comparison to literature aziridine NMR data is included in the Experimental Section data for 3 page 13 and

(3) Preparation of Authentic Turn Mimetic 2.

To further assist in confirming these findings we prepared compound 2 using the method described in Schnee 2. Redistries emination-spellanaen to form 14 from 13 gave a single isomer. This compound has no anide rotumers and hence has more easily analysed NMR spectra. Research to form 2 is complicated by the high level of serie hindrance around the ring amine — it was accomplished using itself check! In superous NaHCO₂ at 40°C. Compound 2 displays multiple conformers due to secondary annule rotumers and also restricted rotation at the Ili group due to crowding. Variable temperature NMR was used to demonstrate that the eculiormers were all due to a single compound. The authentic product has clearly different spectra from either of the Mitsunobet reaction products and also from the limited date reported by Ma et al. (see Appendix 1 for a tabular comparison highlighting the differences).

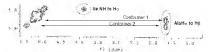


Figure 3. Except from the COSY spectrum of authentic target minietic 2 (PCM416) containing the Ala spin system showing Hα to Hβ coupling and abbence of an NH to Hα coupling for the two conformers. Also allowed as the In NH to Hα cross peak – this is not present in the Miramobo specimens 3 due to the IleN beams in an azimbine time.

(4) Mass Spectra of Product and Target Compounds

The mass spectra of the products formed under the Mitsunobu cyclisation conditions and also of the suthernor mimetic were examined. The fragmentation patterns show significant differences with a number of unique ions enabling clear differentiation of the securety compounds. Specifically, on fragmentation both epimers of the axiadias 3 form unique fragmentation products, notably once of mass 273 with light relative intensity. The suthline largest 2 produces images ions of mass 40% and 275 at the same fragmentation energy. The 273 is turn was detected in all of the factorial cyclisation experiments, however no trace of the 406° and 275° ions characteristic of the target 2 were detected in any of the Mitsunobu cycriments. Mass spectra from all fractions are included in the attachments and a selection are also illustrated in Figure 4 in the Factorial Experiments, Section below. The following table lists the accent and lightlights the unique ions.

Page 11 Dkt: 707.025US1

	AZIRIDINE BA	Azeridise 36	AUTHENDE 2	ALCOHOL 10
Parent mass (MH*)	534	534	534	552
fon Massa				
652	13%	36%	-	44%
534	59%	35%	21%	
496	6%	20%		6%
478	100%	84%	24%	
452	-		-	100%
434	44%	67%	160%	13%
406			9%	
370	12%	30%	-	
363	19%	26%	-	
277	1 -	T -	11%	1.
273	90%	100%		

Table 2 Mass spectra of key derivatives at a fragmentation setting EP DP rentrance potential declastering potential) of 12 and 100°. The unique ions are highlighted.

Mass spectra were run on crude products to ensure minor amounts of possible product were not lost during purification.

Title: PEPTIDE TURN MIMETICS



Factorial Experiments

The following experiments were carried out.

- Ma conditions of temperature, reagens equivalence, time but using different order of reagent addition, as discussed below (4 experiments);
- Excess (2 fold) Mirsunobu reagenti but otherwise the same conditions (adding DEAD last);
- 3. Lower temperature (CC) (adding DEAD last).
- 4. Higher temperature (40°C) adding DEAD last
- 5. Using dichloromethane as solvent, DEAD added last
- 6. Using toluene as solvent, DEAD added last

Order of Addition Experiments

The Missusobu reaction used here has three components: DEAD. Php. Pud alcohol 10. The onest cention in technique used for the Missusobu reaction is to add DEAD to the other components at 0°C. Other regularly used methods have involved the preformation of the betaine by mixing the DEAD and Php. Purp to a dolding the orbic components (see Organic Reactions, Hughes). Countdering the inter-reactivity of the components there are four meaningfully different ways of mixing the components.

- DEAD added to pre-mixed PhyP and alcohol 1:
- ii PhyP added to pre-mixed DEAD and alcohol 1,
- alcohol 1 added to pre-mixed Ph₂P and DEAD where DEAD is initially added dropwise to the Ph₂P volution:
- iv alcohol 1 added to pre-mixed Ph₂P and DEAD where the Ph₂P solution is initially added dropwise to the DEAD solution

RESCION	CONDITIONS	RESULTS AND ANALYSIS	
PCM414, mixed (somers ~1:1 ratio	DEAD added last, room temperatuse, strred for 72hrs, 20°C	Azindine formed, purified and NMR run. HPLC and M5 analysis	
PCM427, first elating isomer	DEAD added last, room temperatuse, stirred for 72hrs 20°C	Aznidine formed, MS analysed	
PCM438, mixed isomers -1:1 ratio	Alcohol added to preformed betaine, DEAD to Ph.P. 60k, 20°C	Azindine formed, MS analysed	
PCM439, mixed isomers -1:1 ratio	Double reagents, DEAD last, 50h, 30°C	Azindine formed, MS analysed	
PCM430, mixed isomers -1:1 salso	Ph.P added to alcohol and DEAD, 80h, 26°C	Azindine formed, MS analysed	
PCM431, mixed icomers -1:1 ratio	DEAD added last at 9°C and allowed to warm to 20°C overment.	Azindine formed, MS analysed	
PCM432, mixed isomers -1:1 ratio	Alcohol added to betaine formed from Ph _i P to DEAD	Azindine formed, MS analysed, purified and NMR	
PCM433 mixed temens -111 ratio	DEAD added last, temperature of 40°C 24h	Azindine formed, MS analysed	
PCM434, mixed temers -111 ratio	DEAD added inst, solvent CH ₂ Cl ₂	Azusdine formed, MS analysed	
PCM435, mixed permers - L1 catic	DEAD added inst, solvent roluene	Azusdine formed, MS analysed	

Table 3. Factorial reactions performed

Mass spectral fragmentation studies were completed on all the reaction products. An example of the fragmentation spectra is found in Figure 4.

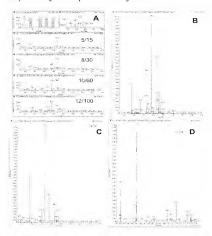


Figure 4. Selected unses spectra. A shows mass spectra of azordine 3a formed in the Missonolus exclusions—the four spectra area in unreasang fragmentation energy, EPDP of 513, 830,000,127100. B2 in expansion of the 3a spectrum at 12700 — note unique fragment uses at 273 and 370. C fragmentation of authentic immetic 2a 117100 — note unique fragment at 277 and absence of 273 and 370 expansion. Or spectrum of crude factoral resolution EM340 at 121700 — the 279 peak is due to PhiP-OFI from the Missimulou reagents; note the presence of 273 and 370. unique fragments from the standard S, and the absence of the 277 peak characteristic of the substant rarget 2.

HPLC Data

Reversed phase HPLC was run on all key compounds and on the crude fastorial reaction products. The authentic product 2 and the azirolines show good separation enabling a further check for the formation of 2 to be carried out. None of the crude reactions show evidence of the formation of 2, while all show the presence of the azirolines, 3 Co-injections were performed to demonstrate that the retention time of 2 is unchanged in the presence of the crude reaction products. Representative traces are included below and all traces are included in the attached materials (the traces below in file HPLC Data 1-compounds and conjection while the remaining data is file HPLC Data 2-).

Compound	10a (akohol)	10b (alcohol)	2 (nutbentie (arget)	3a (aziridine)	3b (aziridine)
Reaction reference	PCM425	PCM402	PCM416	PCM432	PCM414
Retention time (minutes)	8 05	8 11	8.71	6,87	6.93

HPLC Conditions: Agilient 1100 Series LC rounting Phenomenex Synergi 4 micron column, MAX-RP statonary phase 50x2 0 mm. Flow rate of 1 mi/min, gradient program 5% to 59% solvent B in 9 minutes. Solvent A water and 0.05% influoroacetic acid; solvent B 10% water in acetonimle and 0.05% influoroacetic acid.

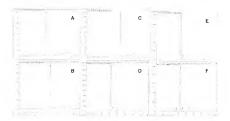


Figure S. Selected HPLC data. A is zanchue 3a (PCM442); B is compound 10a (PCM425, cyclisation precursor alcohol). C is sufficient mineric 2 (PCM416); D shows the crude products of reaction PCM430—man peak at 6.38 is due to traplest/phosphine oxide, peaks for the azination and alcohol are present but no trae of compound 2; E crude products of PCM429 showing hiphers/phosphine oxide and the axindum product; F is a comjection of E and C showing that there is no significant variation in the retention time of 2 when sujected as part of the crude reaction product mixture.

Page 15 Dkt: 707.025US1

Experimental Results

Textual listings of spectra for all compounds follow. Copies of all important spectra have been included as attachments. The following table lists the included spectra for each compound.

Table 4. Specira included as attachments

COSPOUND (DATAFILE)	REACTION	DATA
7 Isonazoline (Compound 7 PCM403 isonazoline NMR pdf)	PCM403	"C."H NMR
8 Amino elcohot Compound 8 PCM411 isomers NhIR Mass Specus pdf;	PCM 411	"C, "H NMR
9 Reductive simulation product (Compound 9 PCM415-422 NMR spectro.pdf)	PCM 415 & PCM 422	¹⁶ C, ³ H NMR
10 Airohal cyclusation precursor (Compound 10 PCM425f7_NMR_andMass_Spectra.pdf)	PCM 425	¹⁶ C, ³ H NMR, COSY TOCSY and fragmentation mass spectrum
3a Azminne 3 from isomer 1 of 10 Compound 3a PCM432NMR_MSpectra.pdf)	PCM 432	and fragmentation mass spectrum
3b Azindine 3 fices (comer 2 of 10 (Compound 3b PCM414NMR_MSpecus pdf)	PCM414	OC. HNMR. COSY TOCSY and fragmentation mass spectrum
14 Gamma miniehe, no Cbz (Compound 14 Airhentic Minietic pre Cbz PCM401f7 NMR, spectra odf)	401	¹⁸ C, ² H NMR, COSY TOCSY
2 Authentic target mimetic (Compound 2 Authentic Mimetic PCM416 VfNMR Mass spectra.pdf)	416	GOSY TOCSY and fragmentation mass spectrum
Factorial reactions M8 analysis (Factorial M8 Data PUT6427-PUT6439.pdf)	PCM427- 432	Mass spectra at various fragmentation energies of crude seaction modulits

Compound Data

Compound 4 (Boelle Weinreb amide)

PCM393

H NMR (400MHz Varian 298k CDCly) 5.14 (1H, d. J = 9.7), 4.62 (1H, m; 3.78 (3H, s), 3.22 (3H, s), 1.72 (1H, m), 1.55 (1H, m), 1.43 (9H, s), 1.13 (1H, m), 0.92 (3H, d. J = 6.8), 0.89 (3h, d. J = 7.4),

¹³C NMR (400MHz Variau 298k CDCb), 173.1, 155-6, 79.3, 61.4, 54-1, 37.9, 31.8, 28.2 (tBu), 24.2, 15.4, 11-2.

Compound 5 (BocHe aldehyde)

PMC 396cde

"H NM2 (490MHz Varian 208k CDCl)(s 9.66 (1H, s), 5.12 (1H, br), 4.29 (1H, m), 2.02 (1H, m), 1.49 (1H, m), 1.45 (1H

Page 16 Dkt: 707.025US1

Compound 6 (BocIle alkene)

PCM396

³H NMR (400MHz Varian 298k CDCl₃): 5.74 (1H, m.) 5.17 (1H, m.) 5.13 (1H, m.) 4.57 (1H, br.) 4.09 (1H, br.) 1.55 (1H, m.) 1.47 (1H, m. obscured by tBoc peak), 1.47 (9H, s), 1,11 (1H, m.) 6.92 (2H, t J = 7.3), 6.86 (3H, 3, 6.8)

¹⁵C NMR (400MHz Varian 298k CDCl₃): 155.4, 136.8, 115.2, 79.1, 56.9, 38.9, 28.4 (Beer, 25.3, 15.9, 11.7.

Compound 7 (isoxazoline)

PCM403

In NMR the product peaks were broad at 298K and there was evidence for multiple conformers—some broad double peaks in the carbon spectrum that coalesced at higher temperature. This was confirmed by variable temperature runs

³H NMP, 4500MHz Varian S18k CDCl₃) main isomer (first cluting by flash chromatography); 7 36-7.23 (5H, m), 5-91 (1H, tr); 4.39 (1H, be), 3.94 (2H, be), 3.56 (1H, tr); 4.39 (1H, be), 3.94 (2H, be), 3.56 (1H, tr); 1.98, 6. Hz; 2.91 (2H, br); 2.33 (1H, be), 2.05 (1H, brm), 1.53 (2H, m), 1.43 (9H, s), 1.13 (1H, m), 0.91 (3H, d); 4.1 (1.98, 6.80, 6.87 (3H, s), 1.7-7.31.

¹⁸C NMR (400MHz Varian §18k CDCl₃); main isomer 156.5, 187.1, 129.1, 128.3, 127.4, 78.2 (bp., 61.9 fbr), 87.0 (br), \$4.0 (br), 38.1, 31.8, 28.4 (Boc), 25.8, 15.8, 11.2, ISMs 349.2 (MR²)

Compound 8 (aminoalcohol)

PCM411

Major isomer (²⁵C NMR (400MHz Variati 298k CDCl₃); 156.5, 78.6, 72.5, 59.0, 41.0, 36.7, 34.8, 28.4 (Boc rBu), 25.7, 15.8, 11.3

⁵H NMR (400MHz Varian 298k CDCl₃); 5.00 (1H, d, J = 9.9 Hz), 4.08 (1H, m, Ho), 5.23-5.15 (2H, m), 2.86 (1H, s), J = 12, 3.5 Hz), 1.64 1.53 (3H, m), 1.51 (1H, m), 1.45 (9H, s), 1.13 (1H, m), 9.66 (3H, d, J = 6.7 Hz), 0.89 (3H, J) = 7.3 Hz)

Minor some: (second cloting by fissh dirumatography E10Ac MsGHNHsiay 36:10-5; $\frac{1}{18}$ MNR (469MHz Vania 208; CDG) 4 80:1H. d. $\frac{1}{2}$ = 100 Hz; 3.3 *16; Hz; m. 3.5 ·16; Hz; m. 3.5 ·16; Hz; m. 3.2 ·16;

Compound 9 (reductive amination product) M415/422

Major isomer (five thing by Bush chromatography ErOAc $^{-1}$ 5 ErOH in ErOAc $^{-1}$ 5 MMR (400MHz Varian 298); CO($^{-1}$ 17 8, 1834, 78.7. 72, 64.0 5.8, 8.9.4, 8.8, 5, 8.8, 32.7, 23.4. 25.7, 15.8, 142, 11.3. "HNMR (400MHz Varian 298); CDC($^{-1}$ 18, 1842, 11.3. "HNMR (400MHz Varian 298); CDC($^{-1}$ 19, 494 (H, d. = 1)=10.0 Hz), 412 (H, d. = 17.1, 405 (H, m. 3.15); CH, m. 7.7 14, Hz), 3.19 (H, m. 3.75 (m. Hz), 273 (H, d. $^{-1}$ 5 1, 16.4, 15.7-145 (H m. 1.71 2)=1.11 (M, 15.7-145 (H m. 1.71 2)=7.13 (H, d. $^{-1}$ 5) (H, d. $^{-1}$ 5) (H, d. $^{-1}$ 5) (H, d. $^{-1}$ 5) (H, d. $^{-1}$ 7) (H, d. $^{-1}$ 8) (H, d. $^{-1}$

Minor tomer ¹³C NMR (400MHz Varian 298k CDCl₃₂,171.9, 156 5, 79.1, 73.6, 6) 9, 59.5, 50.2, 48.1, 34.2, 31.4, 28.4, 23.1, 16.4, 14.2, 11.8

"I NMR (400MH Variau 59k CDCh), (selected peaks from a spectrum of muxed isomers) 4.46 (H. d. J = 10.2Hz), 4.19 (2H. q. J = 7.1 Hz), 3.74 (1H. m), 3.56 (1H. m), 3.39 (2H. m), 3.56 (1H. m), 3.39 (2H. m), 3.66 (1H. m), 1.72 (1H. m), 1.43 (9H, q., 1.28 (3H, t. J = 7.1 Hz), 9.98 (9.8 (7H, m)

Page 17 Dkt: 707.025US1

Compound 10 (precyclisation alcohol)

PCM4547 (major isomer, has claiming by flash chromatography; ErCAs highly periodenm). If NSRR 4508ME2 Varian 2988 CDC(s) we roomanes in about 65-40 paris 7-34 (5H, m, coronains), 5.56 (34 H, d. 18-65E), 5.46 (6 H, d. 18-65E), 5.16-43 § (2H, berryling) position overlapped pair of ABg, Japp=12 JHz, 4.86 (1H, NH position overlapped doublets, Jabout 10, 2 and 10 Oct; 2, 4.79 of H, m, Alaco, 4.38 (5 OH, 3. NH2), 4.44 (5 OH, in, 18-14), 4.16 (1H, in, 18-14), 4.16 (1H, in, 18-14), 4.16 (1H, in, 18-14), 3.87 (0 H, H, 18-14), 3.87 (0 H, H, 18-14), 3.87 (0 H, H, 18-14), 3.87 (0 H, 18-14), 3.87 (1 H, 18-

^{3C} NMR (460MHz Varian 298k CDCl) two retainers, signals grouped in parentheses where they appear to be from the some carbon according to proximity and relative intensity. (1755, 1731), 1603, 1689, 01565, 1585, 16158, 1557, 16132, 1361), 1283, 128.48, 1282, 128.48, 1283, 1284, 1279, (79.3, 78.8), (68.8, 657), 60.9, (62.0, 61.3), (59.0, 58.349.3, 48.0), 467, 466, 463, 446, 168, 35.90).

 $\begin{array}{l} (340,323,(2840,285),(287,285,(191,184),(189,158),144,(112,114),\\ 88 cool detting joner: HANG (490)HL Visinio Poke (DCL), 733 (841 m), 8 c0 (41 H, d. 959h), 5 16 (11 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 3 8 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 1 2 16 (31 H, d. 12 244 m), 2 1 16 (31 H$

NMR (460MHz Varian 288k CDCl3). 174.6, 169.0, 156.4, 156.3, 135.9, 128.4, 128.1,
 128.0, 78.9, 67.0, 66.1, 61.3, 59.6, 47.7, 46.1, 45.3, 24.4, 31.4, 28.3, 22.3, 19.0, 16.4, 14.0, 12.0

ISMS: 552.2 (MHT); fragmentation mass spectrum at ep-dp-12/100, 590 (7%, MKT), 574 (7%, MNaT), 552 (44%, MHT), 496 (5%, -tBu, 452 (100%, MHT-Boc), 454 (13%), HPLC 808 min

Compound 14 (BocHe-Ala-Gly-OEt gamma turn mimetic)

 $\label{eq:constraints} $^{1}\text{R NMR (400MHz Varian 298k CDCL)}_{1}, 454 \{H, d, j = 100 \text{ Hz. IR-NI)}_{1}, 435 \{H, d, j = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 459, +181 \{C, M, a = 1.7 \text{ GeV}_{1}, 151 \{C, M, a = 1.7 \text{ GeV}_{1}, 1$

¹⁵C NMR (460MHz Verian 288k CDCh), 175.5, 169.5, 156.4, 79.0, 61.1, 69.6, 58.6, 54.9, 59.4, 48.9, 364. 38.1, 28.3 (Boc), 25.5, 18.8, 15.8, 14.1, 11.2 ISMS: 406.1 (MH²)

Compound 2 (authentic target mimetic prepared via conjugate addition and reaction with Chz.CD

Acybotion of the serically hindered ring annue required the use of near Cbz-Cl and middly elevated temperature to progress is stift-factorily. The product shows untiliple conformers in NMR – annule conformers we typical of secondary carbonates but further conformers are also observed possibly due to restricted rotation of the IE residue due to interaction with the Cbg goupt. The conformer peaks were observed to coolesce at elevated temperature and resolve at lower temperature by waisble temperature. NMR confirming that the unshiple peaks were from the same compound and not due to different compounds in the sample. The

Page 18 Dkt: 707.025US1

mirronica

structure of the product was confirmed by analysis of COSY and TOCSY spectra. Thus, a speech above the isolucius pairs yearen is instea, aspectifically the NH resonance recurses 4.95 pean, railing out the NICEs. Boot inside as a possible structure and that the alamine better proton resonance has moved downshield from 1.5 pean to 1.55 pean while the splajn proton resonance has which the object and moved downshield from 3.54 pean to 5.52 and 5.32 own as exceeded for me unline accelation.

"H NMR (469MHz Variau 286K CDC)p." 42.7–18 (5H. m. accessares, 8.44 c-6, 3H. m. Albrio, 3.80 x, 194 s.16H. m. benzylici, 4.96 f-6, 0.0H. d., J = 9.9, BeNH), 4.51 (-0.2H. d., J = 9.9, BeNH), 4.74-4.28 (-1.4H. m. ring CH ambiguit and Glyi coblete), 4.18 (2H. overlapped over quarters, J=7, Hz), 4.14 (-6, 4H. m. ring CH, 3.94-3.66 (-2H. overlapped Gly deoblete and Bellau Signals, includes, 3.84 d j=17, 2Hz), 3.43 (HH. m. ring CH₂5), 3.24 (HH. m. ring

¹⁰CNMR (496MHz Variau 286K CDCh): peaks are included in parentheses where proxamity and relative intensity inclusion steps are proxamity and relative intensity inclusion steps are probably from the same carbon, only the two most prevalent conformers have been listed; 17.5. §, (40.2.3, 160.1), (158.1, 156.5), 150. 157.5. 15.00, 12.38, 12.60, 12.1. 1.170, 7.93, 7.38, (38.5, 6.8), 6.31, (38.5, 38.3), 55.54, (51.1, 50.9), (48.7, 48.5), (48.7, 48.5), (48.7, 28.9), (29.7), 28.3 (Boc.), (21.4, 21.0), (19.6, 19.5), (17.1, 10.0), (14.1, (12.1, 11.0), (19.6, 19.5), (17.1, 10.0), (14.1, (12.1, 11.0)).

TSAMS, 534.2 (AHF) in fragmentation mass spectrum at dp/ep of 12/109: 572 (11%, MKT), 556 (14%, MNs7), 551 (5%, MNHs7), 534 (21%, MHT), 478 (24%, -4Bu), 434 (160%, -Boc), 496 (19%), 277 (26%).

Compound 3 (aziridine Mitsunobu product)

Note on comparison of products 3a and 3b to hterapare N-Boc-azitalines

The chemical shift data for the postons and carbons of the arischier ring in products 8 were compared to literature data and found to shown good correspondence. For example in six Boo-azriskines with 2.8 alight substituents reported by Right et al (Ternsherbon 2001, 57, 10038-10044) the arischien containst earbon was found at 16.0 for 16.18, spm compared to 160.8 and 162.7 for 3. Pight report the szaridnien ring CH signals from 2.88-195 compared with 2.18, 2.13, 2.56 and 2.10 for 3. These signals are in contrast to authentic 2 where the equivalent BeHo shift is a 3.0 ppm a particularly clear indication of the different structures, along with the abonuce of the BeHM signal.

3a PCM132 (formed from first clutture isomer of compound 10)
14 NMR (400MHz Varina 268 C.DCI) two conformers observed in the rotic of about 2.1 The operturn was assigned based on COSY and Troc SY results, all spectra are included in the appendix; 7.34 (9f. m), 5.67 (1H, overlapped AlaNH doublets, 5.09 (2H, overlapped beauty)is), 4.75 (10, TM, AlaoH major conformace), 44.2 (3H d. 3Hz 4.69 (3H, 39parent pentuple); 1.76 (1H, AlaoH minor conformace), 44.2 (3H d. 3Hz 4.69 (4H), 3.75 (1H, 3Hz 4.64 (3H), 3.75 (3H, 3Hz 4.69 (3H), 3Hz 4.69 (3H), 3Hz 4.75 (3H, 3Hz 4.69 (3H), 3Hz 4.75 (3H, 3Hz 4.69 (3H), 3Hz 4.75 (3H, 3Hz 4.75 (3H, 3Hz 4.75 (3H), 3Hz 4.75 (3H, 3

Page 19 Dkt: 707.025US1

major conformer). -1.39 (1H. m. overlapped signal, HeyCH_{30} , $1.34 \leftrightarrow 2\text{H}$, i. J=7 1, exter CH₃ major conformer). $1.32 \leftrightarrow \text{H}$, d. = 6 THz. AlaHB mimor conformers, $1.26 \leftrightarrow \text{H}$, $1.34 \leftrightarrow \text{H}$, $1.34 \leftrightarrow \text{H}$, almor conformer). $1.16 \leftrightarrow \text{H}$, $1.96 \leftrightarrow \text{H}$, overlapped triplets, J=7.5 Hz, $I=6 \leftrightarrow \text{H}$, J=7.1, J=7.

ISMS: 534.2 [MH], fragmentation mass spectrum at do ep of 12 100; 572 (8%, MK], 556 (15%, MNs), 552 (9%, MH_O), 534 (40%, MH), 496 (4%, MH_O), 4Bm, 478 (68%, MH], 4Bm, 434 (30%, MH), 680), 370 (8%), 363 (9%), 237 (21%).

3b PCM414 (formed from second chuting isomer of compound 10)

'H NNR (400MHz Varian 2084 CDCb) two contorniers observed in the ratio of about 2:1.

'24 (5H m.) 5 69 (Hd. 8.Hz. 4.3kMh; 5 69 (2H m. benzylic), 471 (67H, m. AlaHo),

'4.46 (9 H. m. AlaHo), 432 (~2H, q. j=70), 4.224-15 overlapped signals from OCH; and

Gly including 4-17 (q. j=7), 40 (9 CM, Hd. j=18, S), 86 (6 TH, H. j=17), 13, 75 (Hm.

NCH₂₃), 3.53 (HH. m. NCH₂₃), 218 (HH. m. OCH), 20 (6 OTH, 64 j=55, 8. HHz. 16Ho),

'2.64 (0.3H; 6d. j=5, 4. 8)(Hz. 16Ho), 1.89 (HH. m. NCH; Hz.), 1.70 (2H, m., ReyCH), and

NCHCH_{23k}, 1.454 and 1.450 (9H, 6), 1.40 (~2H, 4. j=6 SHz AlaH májor conformer), 1.34 (t. 7).

T.HE. major conformer), 1.26 (t. j=7 2Hz. minor conformer), 1.13 (1H. m. [left)), 0.93 (6H, m. left y6 CH).

¹⁵C NMR (400MHz Varina 298k CDCly): 173.3, 168.9, 169.8, 155.5, 131.8, 128.5, 128.1, 128.0, (81.2, 81.0, 66.7, 64.1, 162.6, 62.3), (61.9, 61.3), (49.7, 49.9), 48.3, 46.9, 46.8, 46.2, (40.0, 59.2), 36.8, (31.1, 29.1), (27.95, 27.9), (27.44, 27.39), (19.3, 19.2), (16.3, 16.2), 14.1, 11.0.

1SMS: 534.2 (MHT): fragmentation mass spectrum at dp/ep of 12/100: 572 (19%, MK*), 556 (36%, MNs*, 552 (36%, MHsO*), 534 (55%, MHT), 496 (20%, MHsO*, tBu), 478 (64%, MHT-4Bu), 434 (67%, MHT-Bu), 4378 (36%), 135 (26%), 273 (100%).

Page 20 Dkt: 707.025US1

Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS



Appendix 1

Comparison of Ma data (unassigned mixture) with assigned spectra of actual product isomers and authentic mimetic

Ma data for mixed enimers	PC31432 carbidine 3a4	PCM414 (aziruline No	PCM416 inothernic 21
7.28 SH. s	7.34 (5H m).	7.34 (5H. m)	7.42-7.28 (SH, m)
5 65-5.52 1H, m	5 of cH overlapped AlaNH doublets)	5 60 (1H, 0, 8Hz AlaNH)	
			3.44 (0.3H, m. AlaHor 5.30-5.19 (1.0H m. benzyl and AlaHor). 5.11 (3H, m. benzyl)
5.05.2H, s	5.09 (2H, overlapped benzylic)	5 09 (2H. m. benzyšio)	
	4.73 (0 7H. AlaoH major conformer, apparent pentuplet, J-7Hz)	4.71 (0.7H, m. AlaHo)	4 96 (0.5H, d, I = 9 9 Be NH major conformer)
	4.48 (0.3H, apparent pentuple), J-7Hz, Alao H minor conformer)	4.46 (0.3H, m. AlaHe)	4.51 (0.2H, d. I = 9.9, D±NH minor)
	4.42 (0.3H, 0.3=18.4Hz GlyHa),		4.47-4.28 (1.4H, m, ting CH and Gly doublets)
4.35-4 93 2H, m	4.35-4.13 (3H, overlapped quartets and doublets from OCH, and GlyHe).	4.32 (~2H, q, 3=7.0) 4.28-4.15 overlapped signals from OCH; and Gly including 4.17 (q, 3=7)	4.18 (2H, m overlapped exter OCH; quartets), 4.14 (0.4H, m, ring CH)
		4.02 (0.3H, d. J=18.5), 3.86 (0.7H, d. J=17.1)	3.94-3-66 (2H, Gly and HeHa overlapped
3.75-3.35 2H, m	3.69 (IH. m. NCH ₁₀). 3.51 (IH. m. NCH ₂₀)	3.75 (1H, ss, NCH ₂) 3.53 (1H m, NCH ₂)	3.48 (1H, m. ring CH ₂ N)
			3.24 (1H, m rmg CH ₂ N)
2.4-2.25 iH m	2.39 (1H m NCH sziridise),		
2.18-2.0 1H, m	2.18 (9.7H, dd, J=9.8, 6.8Hz, BeHox 2.13 (9.3H, dd, J=9.8, 6.6Hz, BeHox	2.05 (1H, sa, NCH aznishne), 2.01 (0.3H, 6d, J=3.4, 8 1Hz, BeHox), 2.05 (0.7H, 0d, J=3.5, 8.1Hz, BeHox),	
	2.00 (1H, m, NCH-CH ₅₀)	1.89 (1H. m, NCH-CH ₂₀)	
	1.71 / IH. m. Be(CH ₂):	1.70 (2H, wr. BleyCH _{2s} and NCH ₂ CH _{2s})	1.7 (3H, m. overlapped alaume doublets I=8Hz)
1.38 2H, s			1.65-1.5 (2H, m, overlapped Hey)
1 5-1 45 1H. m	1.5 (1H. m. partially obscured by tBn, NCH-CH _{nd}).		
1.45.9H, s	1.43 & 1.44 (9H, s, tBu)	1.454 and 1.450 (9H, 5)	1.43 (4H, s), 1 30 (5H, s) Boc
	1.41 (-2H, d, J=7.1, Alaß major conformer), ~1.39 (1H, m overlapped signal	i.40 (~2H d J=6.8Hz Alaß major conformes).	
1.35-1.0.9H, m	1.34 (~2H, t.]=7.1 ester CH, simpor conformer), 1.32 (~1H,	1.34 (2H. t. ? 1Hz. major conformer), 1.26 (1H. t. 3=7.2Hz, missor	1.27 (3H, m. ester) 1.1 (1H, m. Beβ)

Page 21 Dkt: 707.025US1

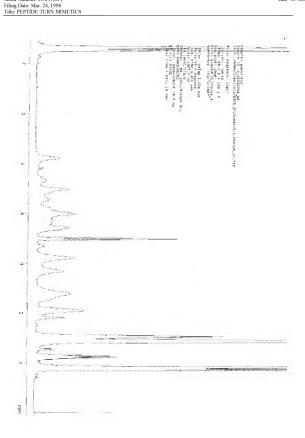
	d J=0 7Hz, AlaHβ minor conformer). i lo (1H t J=7.1 ester CH; minor conformer), i lo (1H m Ileβ)	conformer), 1 13 (1H, m, fleß)	
0.98-0.74 SH, m	0.98 (3H overlapped triplets, 3-7.5Hz, IteaCH ₂) 0.90 (3H overlapped doublets, J-7Hz Be ₇ CH ₂)	9.93 (6H, m, De y&a CH ₂)	1.9-0.85 (5.3H, m) (c.78 (0.5H, m) lie CH ₂

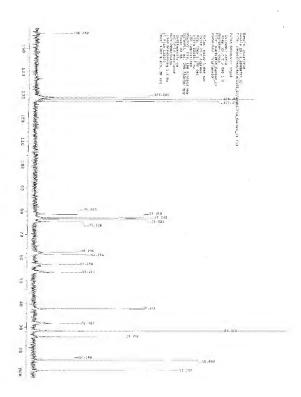
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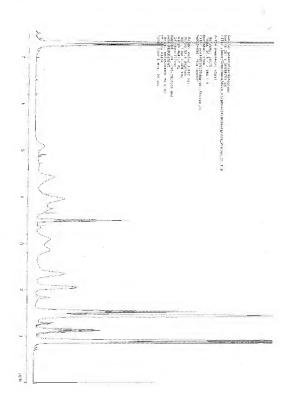
DECLARATION UNDER 37 CFR § 1.132 Serial Number: 69/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS Page 22 Dkt: 707.025US1

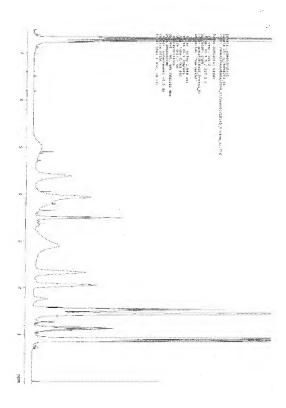
Appendix 2

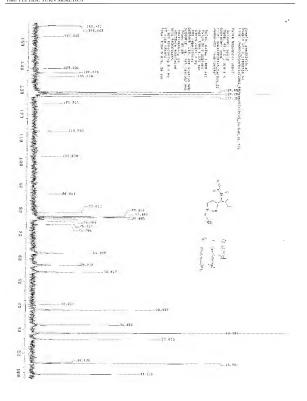
Data obtained for Compounds 7







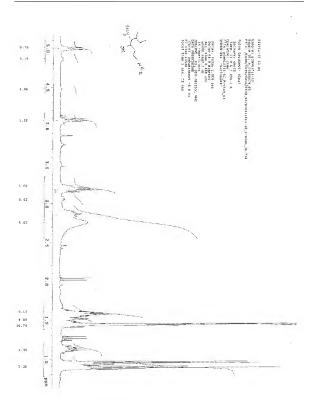




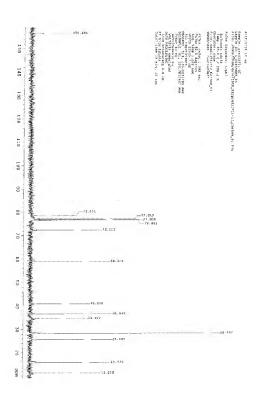
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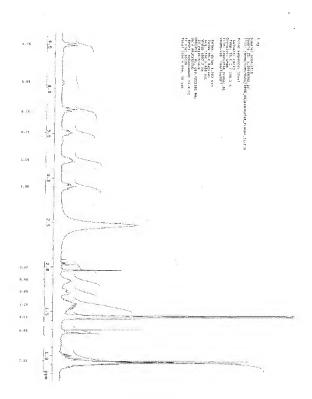
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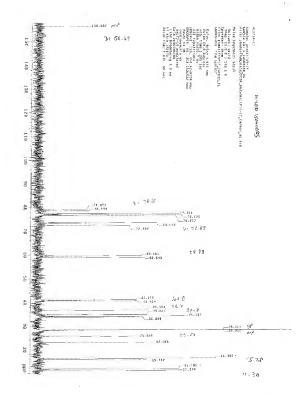
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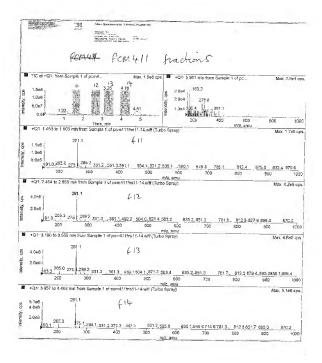


Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS





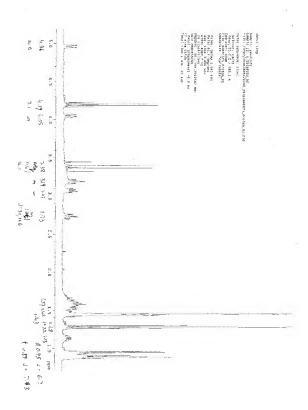




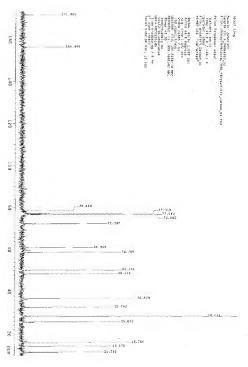
DECLARATION UNDER 37 CFR § 1.132 Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS Page 34 Dkt: 707.025US1

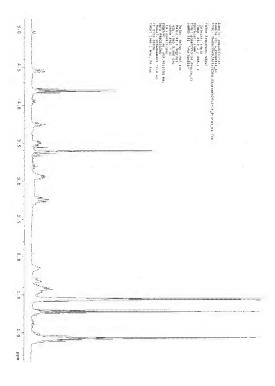
Appendix 4

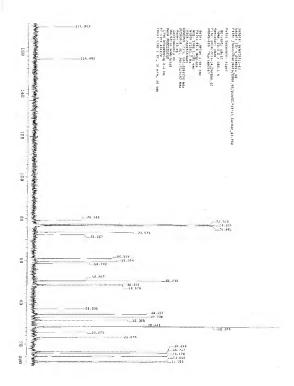
Data obtained for Compounds 9









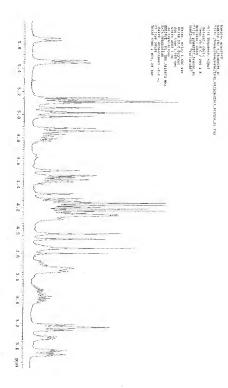


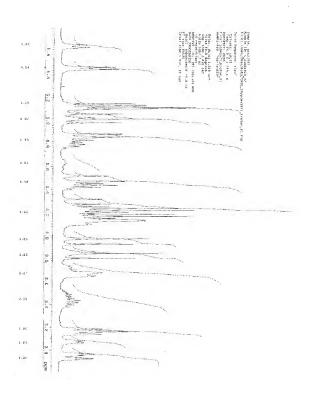
Page 39 Dkt: 707.025US1

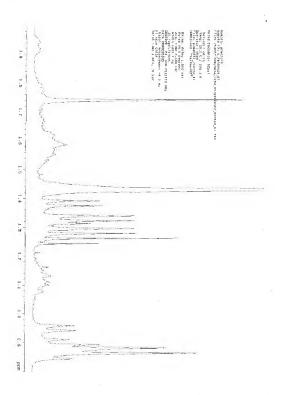
Appendix 5

Data obtained for Compounds 10

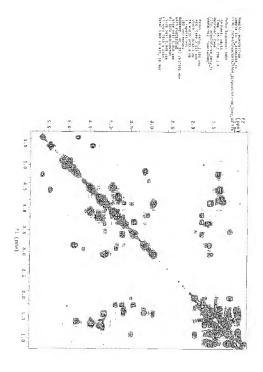


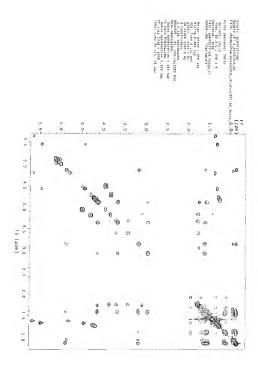




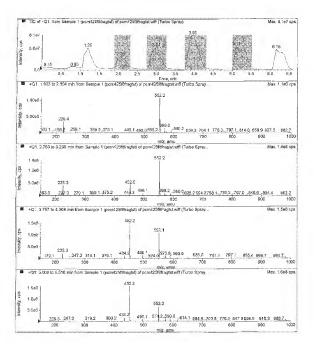


Filing Date: Mar. 24, 1998
Title: PEPTIDE TURN MIMETICS





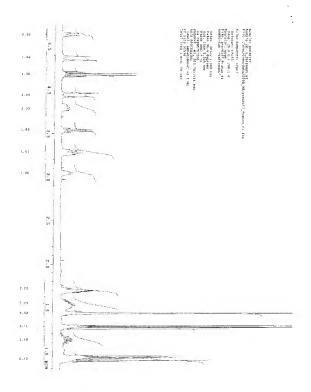
Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS

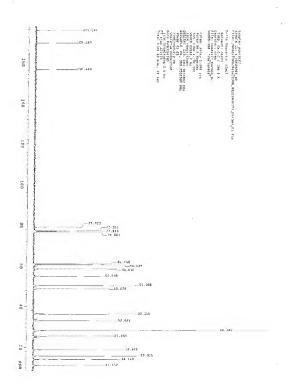


Page 47 Dkt: 707.025US1

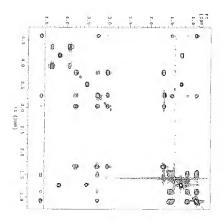
Appendix 6

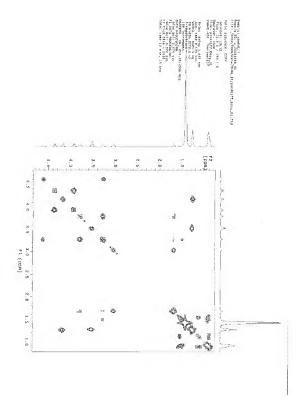
Data obtained for Compound 14





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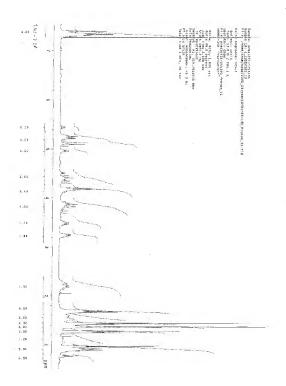


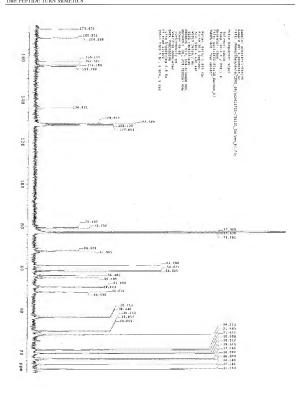


Page 52 Dkt: 707.025US1

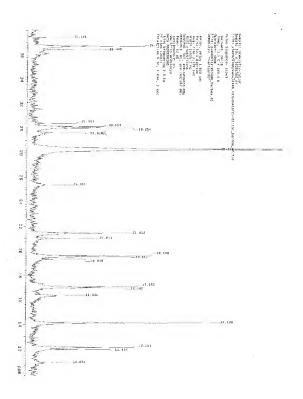
Appendix 7

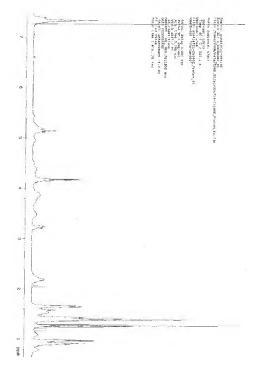
Data obtained for Compound 2

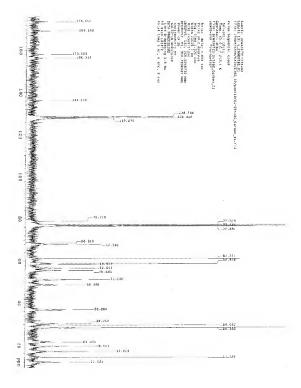


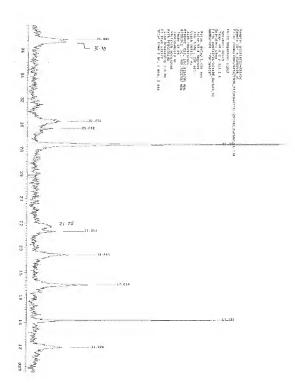


Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS

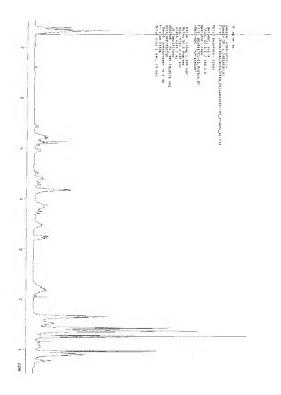


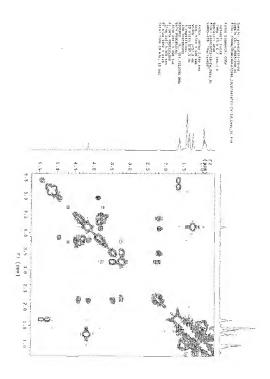




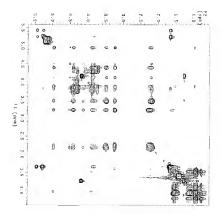


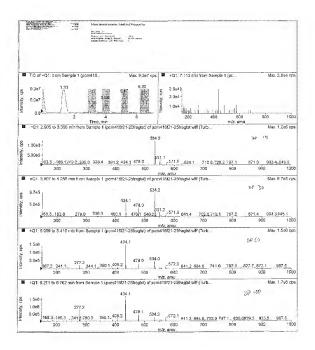
Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS

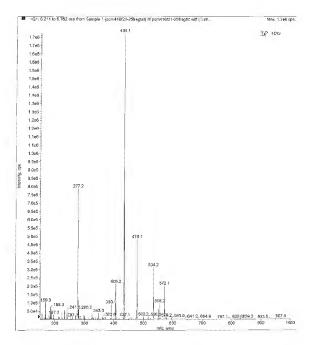








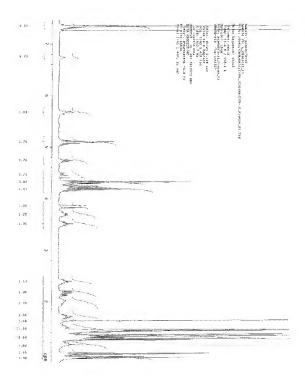


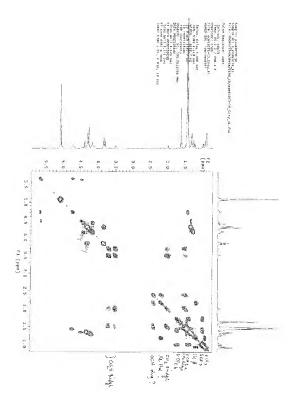


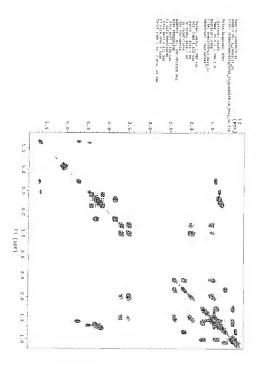
Page 64 Dkt: 707.025US1

Appendix 8

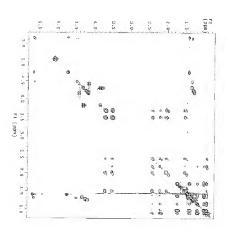
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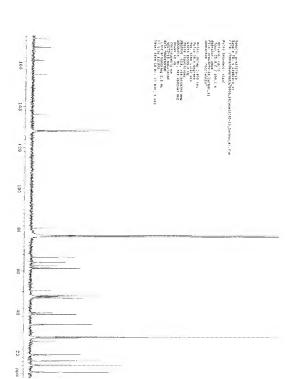


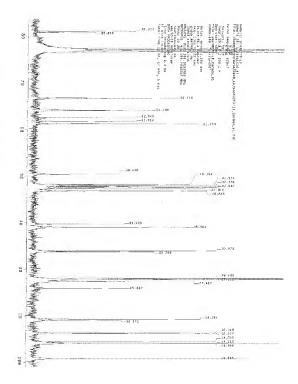


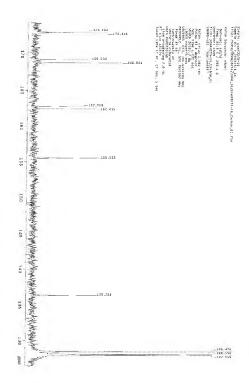


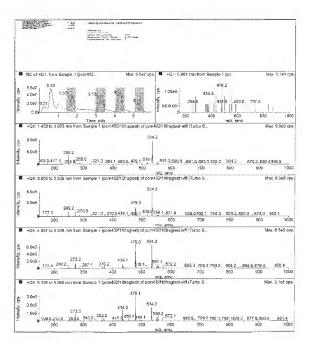
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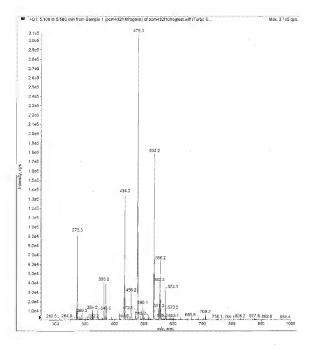


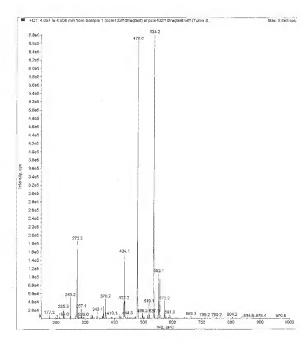










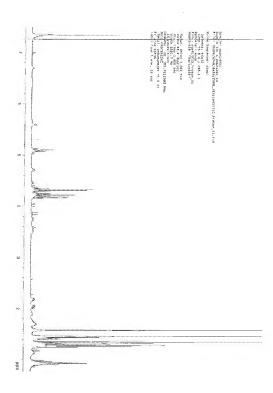


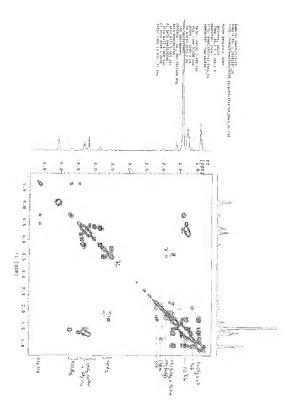
Page 75 Dkt: 707.025US1

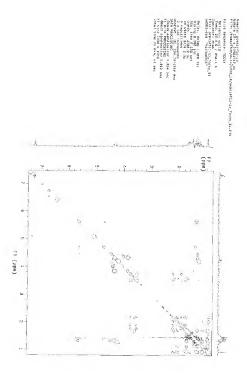
Appendix 9

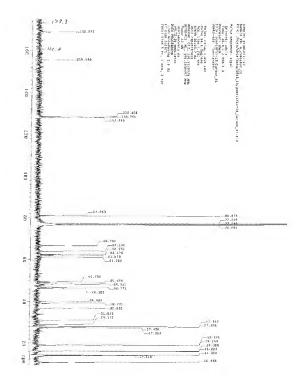
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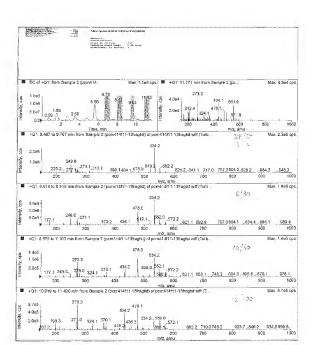
Serial Number: 09/647,054 Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS

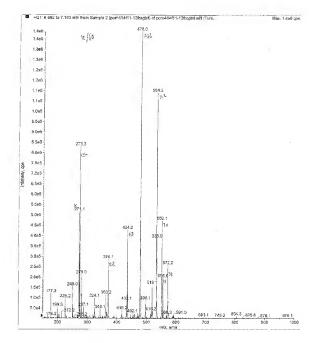




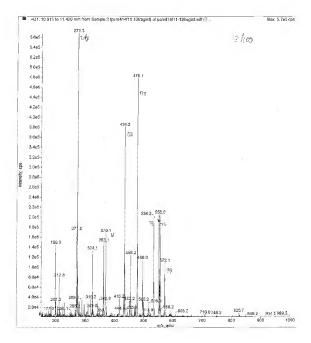








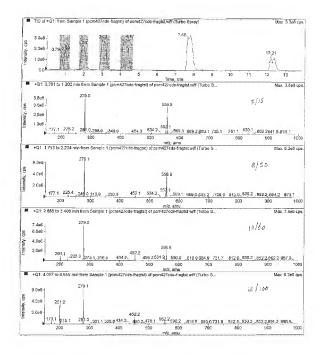


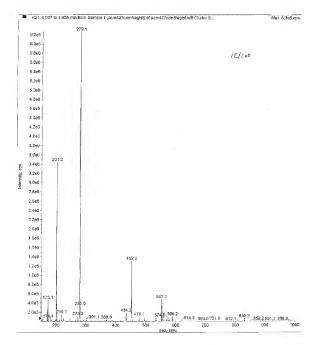


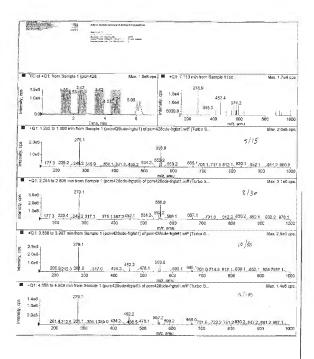
Page 83 Dkt: 707.025US1

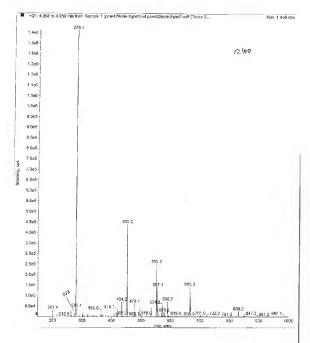
Appendix 10

Factorial MS data from Factorial experiments

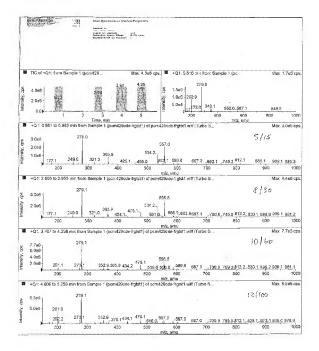


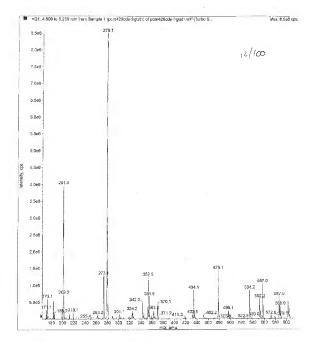


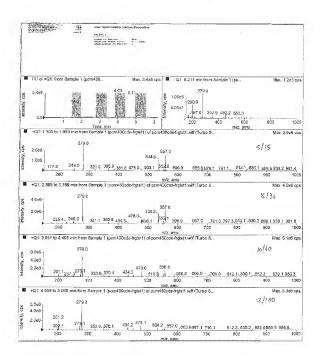


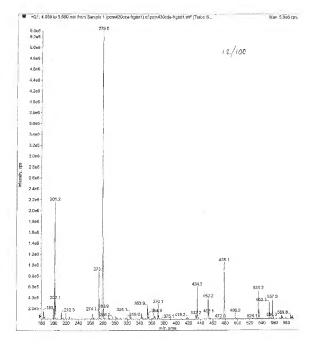


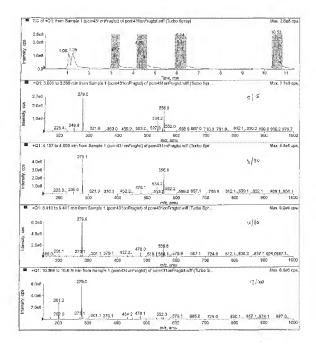
Filing Date: Mar. 24, 1998 Title: PEPTIDE TURN MIMETICS



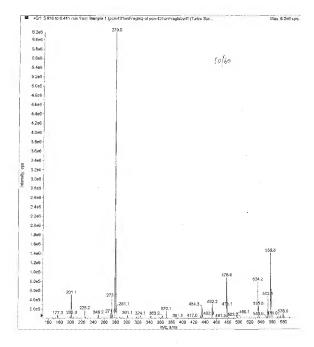


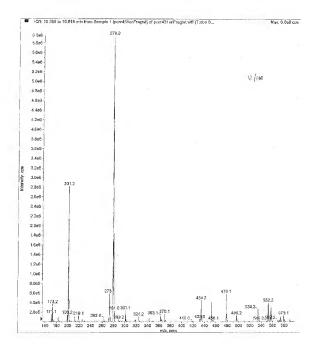


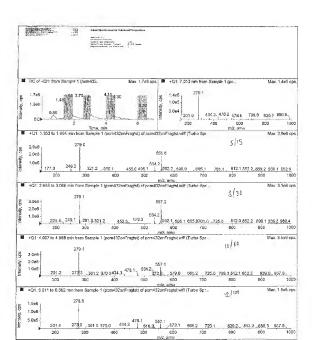


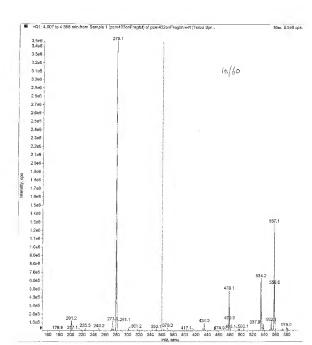


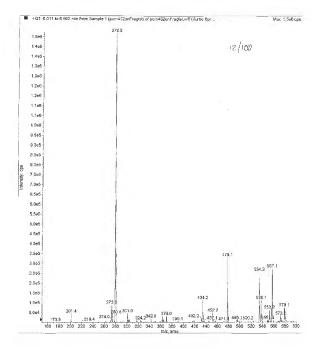
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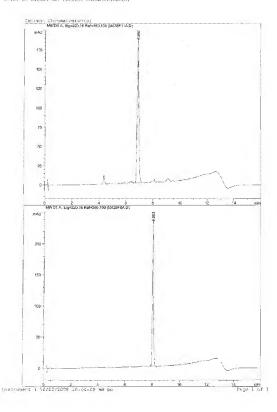


Page 98 Dkt: 707.025US1

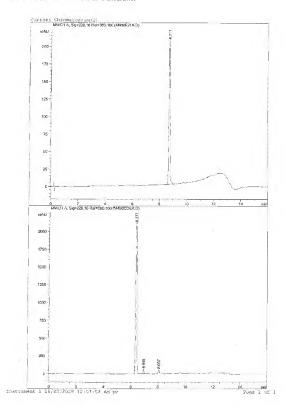
APPENDIX 11

HPLC Pure Compound and Co-injection Traces

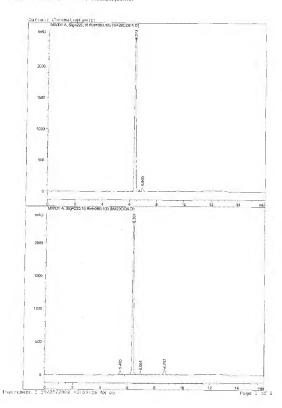
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Print or Window 38: Current Chromatogram(s)



Frint of window 38: Current Chromatogram(s)

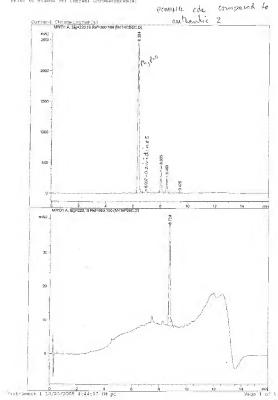


Page 102 Dkt: 707.025US1

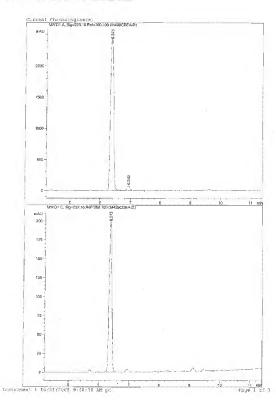
APPENDIX 12

HPLC Reaction Mixture traces

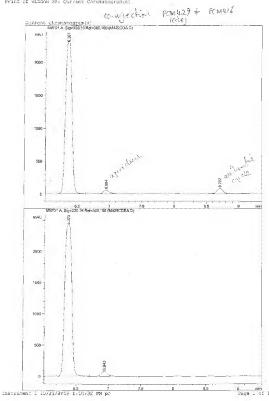
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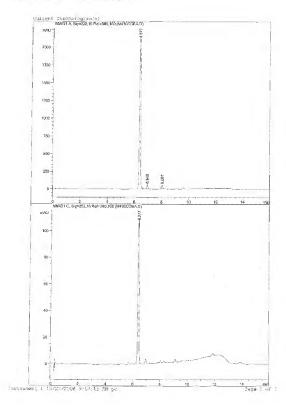
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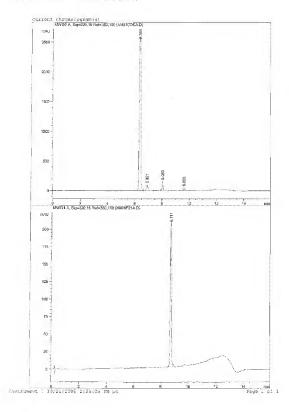
Page 105 Dkt: 707.025US1 Print of window 38: Current Chromatogram;s:



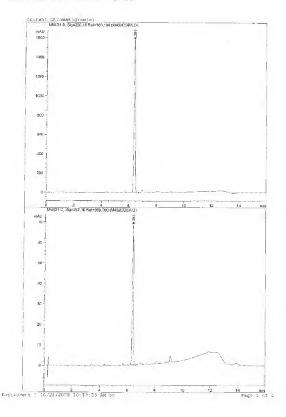
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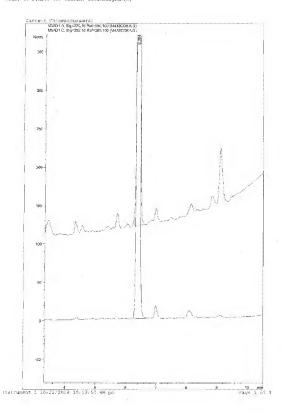
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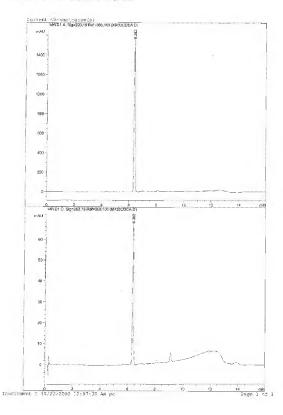
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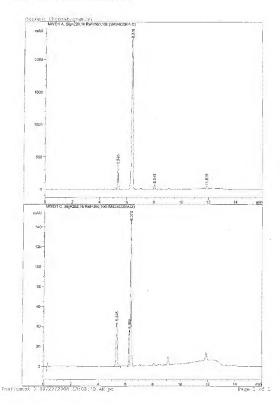
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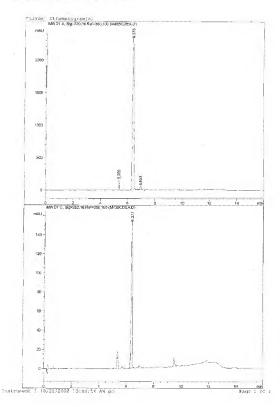
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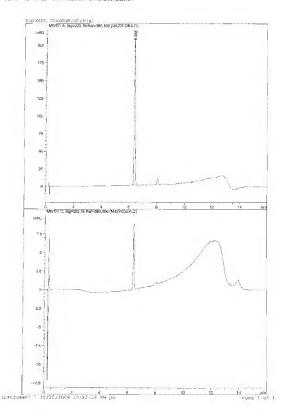
Frint of window 38: Current Chromatogram(s)



Print of window 38: Surrent Colonatograph(s)



Print of window 38: Current Caremategram(s)



" Frint of window 18: Corrent Chromatogram(s)

